

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE JUDICIARY COMMITTEE

Date: Monday, February 23, 2009
Place: Capitol

Time: 9:00 am
Room: 303

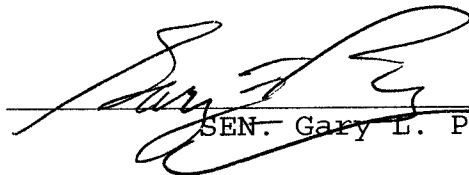
BILLS and RESOLUTIONS HEARD:

SB 492, SB 497

EXECUTIVE ACTION TAKEN:

SB 497-Do Pass As Amended
SB 492-Failed in Committee (5-7)
SB 384-Tied in Committee

COMMENTS:


SEN. Gary L. Perry, Chairman

MONTANA STATE SENATE
Roll Call
JUDICIARY COMMITTEE

DATE: 2/23/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR GARY PERRY, CHAIRMAN	/	
SENATOR JIM SHOCKLEY, VICE CHAIRMAN	/	
SENATOR AUBYN CURTISS	/	
SENATOR JOHN ESP	/	
SENATOR GREG HINKLE	/	
SENATOR LARRY JENT	/	
SENATOR CAROL JUNEAU	/	
SENATOR CLIFF LARSEN	/	
SENATOR JESSE LASLOVICH	/	
SENATOR DANIEL MCGEE	/	
SENATOR LYNDA MOSS	/	
SENATOR TERRY MURPHY	/	



SENATE STANDING COMMITTEE REPORT


February 23, 2009

Page 1 of 2

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 497** (first reading copy -- white) **do pass as amended.**

Signed:


Senator Gary L. Perry, Chair

And, that such amendments read:

1. Title, line 4.

Strike: "PROTEST"

Insert: "DEMONSTRATION"

2. Page 1, line 10.

Strike: "protest"

Insert: "demonstration"

3. Page 1, line 14.

Following: "or to"

Strike: "protest"

Insert: "demonstrate"

4. Page 1, line 16.

Strike: "protest"

Insert: "demonstration"

5. Page 1, line 17.

Following: "in a"

Strike: remainder of line 17 through "facility" on line 18

Insert: "lawful demonstration pursuant to subsection (1)"

6. Page 1, line 19.

Following: "in a"

Strike: "protest"

Insert: "lawful demonstration pursuant to subsection (1)"

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

SB0497001SC.sdr

7. Page 1, line 19.

Following: "person."

Insert: "However, it is not a violation of this subsection for a person to approach within 8 feet of a person who is engaged in a lawful demonstration pursuant to subsection (1) in order to lawfully enter into or exit from a health care facility."

- END -

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/23/09 BILL NO. SB497 MOTION NO. 4
 MOTION: _____

CEMENT "without violating the protest..."

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		/	
SENATOR JESSE LASLOVICH		/	
SENATOR AUBYN CURTISS		/	
SENATOR LARRY JENT		/	
SENATOR TERRY MURPHY		/	
SENATOR LYNDA MOSS		/	
SENATOR JOHN ESP		/	
SENATOR CLIFF LARSEN		/	
SENATOR CAROL JUNEAU		/	
SENATOR GREG HINKLE		/	
SENATOR JIM SHOCKLEY, VICE CHAIR	/		
SENATOR GARY PERRY, CHAIRMAN	/		

2/10

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/23/09 BILL NO SB497 MOTION NO. 6
 MOTION: _____

~~SENATOR DANIEL MCGEE~~
~~SENATOR JESSE LASLOVICH~~
~~SENATOR AUBYN CURTISS~~
~~SENATOR LARRY JENT~~
~~SENATOR TERRY MURPHY~~
~~SENATOR LYNDIA MOSS~~
~~SENATOR JOHN ESP~~
~~SENATOR CLIFF LARSEN~~
~~SENATOR CAROL JUNEAU~~
~~SENATOR GREG HINKLE~~
~~SENATOR JIM SHOCKLEY, VICE CHAIR~~
~~SENATOR GARY PERRY, CHAIRMAN~~
 DPAA


NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	/		
SENATOR JESSE LASLOVICH	/		
SENATOR AUBYN CURTISS	/		
SENATOR LARRY JENT	/		
SENATOR TERRY MURPHY	/		
SENATOR LYNDIA MOSS	/		
SENATOR JOHN ESP	/		
SENATOR CLIFF LARSEN	/		
SENATOR CAROL JUNEAU	/		
SENATOR GREG HINKLE	/		
SENATOR JIM SHOCKLEY, VICE CHAIR	/		
SENATOR GARY PERRY, CHAIRMAN	/		

12/0

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/23/09 BILL NO SB492 MOTION NO. 1
 MOTION: _____

Do Pass

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	/		
SENATOR JESSE LASLOVICH		/	
SENATOR AUBYN CURTISS	/		
SENATOR LARRY JENT		/	
SENATOR TERRY MURPHY	/		
SENATOR LYNDIA MOSS		/	
SENATOR JOHN ESP		/	
SENATOR CLIFF LARSEN		/	
SENATOR CAROL JUNEAU		/	
SENATOR GREG HINKLE	/		
SENATOR JIM SHOCKLEY, VICE CHAIR		/	
SENATOR GARY PERRY, CHAIRMAN	/		

5/7

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/23/09 BILL NO 58384 MOTION NO. 1

MOTION: _____

Do Pass

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<input checked="" type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>		
SENATOR AUBYN CURTISS		<input checked="" type="checkbox"/>	
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		
SENATOR TERRY MURPHY		<input checked="" type="checkbox"/>	
SENATOR LYNDIA MOSS	<input checked="" type="checkbox"/>		
SENATOR JOHN ESP		<input checked="" type="checkbox"/>	
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		
SENATOR CAROL JUNEAU	<input checked="" type="checkbox"/>		
SENATOR GREG HINKLE		<input checked="" type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>		
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>		

6/6 tie

**AUTHORIZED
SENATE COMMITTEE PROXY**

I request to be excused from Judiciary Committee
because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

[illegible]

Sen.

(Signature)

Date _____

**MONTANA STATE SENATE
Visitors Register**

Judiciary Committee

Date 2/23/09

Bill No. SB-492 Sponsor(s) Senator Perry

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Name and Address	Representing	Support	Oppose	Inf.
Greg Van Horn	State Farm Ins		✓	
Beth Baker	MT Defense Trial Lawyers		✓	
Mark French	Self			mm mc
Bruce Spencer	PCI		✓	
Jan Mettler	Farmers		X	
Al Smith	MTLHA		X	
Beth Buchanan	MTA - Montana		X	
Frank Slans	MMCA	X		
Jacqueline Denmark	AIA; ACLI		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

Visitors Register

Judiciary Committee

Date 2/23/09

Bill No. SB-497 Sponsor(s) Senator Shockley

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[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.